

VIRGINIA:

BEFORE THE BOARD OF MEDICINE

IN RE: MICHAEL D. POLLOCK, D.C.
License No.: 0104-000305

ORDER

In accordance with Sections 54.1-2919 and 9-6.14:11 of the Code of Virginia (1950), as amended ("Code"), an informal conference was held with Michael D. Pollock, D.C., on January 6, 1999, in Richmond, Virginia. Members of the Virginia Board of Medicine ("Board") serving on the Informal Conference Committee ("Committee") were J. Kirkwood Allen, Chairman; Harry C. Beaver, M.D.; and Clarke Russ, M.D. Dr. Pollock appeared personally and was not represented by legal counsel. The purpose of the informal conference was to inquire into allegations that Dr. Pollock may have violated certain laws governing the practice of chiropractic in the Commonwealth of Virginia, as set forth in a Notice of Informal Conference dated July 10, 1998.

FINDINGS OF FACT

Now, having properly considered the evidence and statements presented, the Committee makes the following Findings of Fact:

1. Dr. Pollock treated Patient A from on or about June 6, 1997, through on or about July 7, 1997, for her complaints of shoulder and neck pain and numbness in her hands.
2. On or about June 18, 1997, Patient A informed Dr. Pollock she was diagnosed by a physician as having a rectal fissure. On or about June 20, 1997, he performed a rectal examination on Patient A, which she felt was sexual in nature.
3. By his own admission, on or about June 30, 1997, Dr. Pollock engaged in sexual misconduct with Patient A in that, during the examination, he became sexually aroused. He kissed her, fondled her breasts, and allowed her to place her hand on his penis.

CONCLUSIONS OF LAW

Based on Findings of Fact 2 and 3, the Committee concludes that Dr. Pollock has violated Section 54.1-2915.A(3), as further defined in Section 54.1-2914.A(16) of the Code, and Section 18 VAC 85-20-100.A(1) of the Board's General Regulations.

ORDER

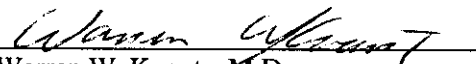
WHEREFORE, based upon the foregoing Findings of Fact and Conclusions of Law, and in view of the information presented by Dr. Pollock which established mitigating circumstances and which established that Dr. Pollock has taken appropriate corrective action, it is hereby ORDERED that NO SANCTION be imposed upon Dr. Pollock's license to practice chiropractic.

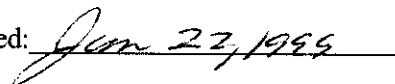
Pursuant to Section 9-6.14:14 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

Pursuant to Section 54.1-2919 of the Code, Dr. Pollock may, not later than 5:00 p.m., on February 25, 1999, notify Warren W. Koontz, M.D., Executive Director, Board of Medicine, 6606 West Broad Street, Richmond, Virginia 23230, in writing that he desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

Therefore, this Order shall become final on February 25, 1999, unless a request for a formal administrative hearing is received as described above.

FOR THE BOARD


Warren W. Koontz, M.D.
Executive Director
Virginia Board of Medicine

Entered: 

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